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U.S. HOUSE OF REPRESENTATIVES

PERMANENT SELECT COMMITTEE
 ON INTELLIGENCE

WASHINGTON, DC 20515

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LEGISLATIVE LIAISON

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Honorable William J. Casey
 Director of Central Intelligence
 Washington, D.C. 20505

Dear Bill:

The Permanent Select Committee on Intelligence will be marking up the Fiscal Year 1985 Intelligence Authorization Bill in a few days and I thought it would be helpful to let you know where we stand on a key legislative issue: citizenship for intelligence sources. The Administration has not submitted its proposed FY 1985 Intelligence Authorization Bill which was due to Congress on January 15th, and thus we in the Minority have proceeded pretty much on our own. We are at a critical stage in securing a solution for the problem of citizenship for intelligence sources, and we need your help through support for inclusion of Section 702 of H.R. 1082 in the Intelligence Authorization Bill.

On February 7th, I introduced H.R. 1082, the Omnibus Intelligence and Security Improvements Act, cosponsored by Representatives Ireland, Cheney and Livingston of the Intelligence Committee. The bill addresses a number of critical intelligence and security problems the Nation faces. Section 702 of my bill amends the CIA Act of 1949 to allow the President to grant citizenship to the Nation's most important intelligence sources at the end of their secret intelligence service for the United States.

As you know, Bud McFarlane wrote to me on April 1st with the Administration's views on H.R. 1082, stating that it is "a much needed piece of legislation." I believe we have a fair chance of attaching the citizenship provision of my bill to the FY 1985 Intelligence Authorization Bill. The favorable testimony we received on the provision from your Deputy Director for Operations on February 21, 1985 has proved helpful in that regard.

Your Office of Legislative Liaison has indicated that the CIA is preparing to take action which will, I believe, substantially undercut the ability of the Minority to attach Section 702 of my bill to the Intelligence Authorization Bill. The CIA intention to request a limited statutory waiver of a few sections of the Immigration and Nationality Act, rather than to support Section 702, may well result in producing no citizenship provision whatever in the House version of the Intelligence Authorization Act.

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What the U.S. needs is a clear provision that, notwithstanding any other law, the executive branch can quickly and securely grant citizenship to a limited number of foreign intelligence sources. The CIA currently has a clear mechanism by which to grant permanent U.S. residence quickly and securely under Section 7 of the CIA Act of 1949, notwithstanding the immigration laws. Section 702 of my bill grants the same type of authority with respect to citizenship.

The limited provision CIA has indicated it may propose will handle certain specific cases CIA has now and can expect in the short-term, but it does not go further to ensure improvement of the quality of our intelligence sources by permitting the CIA to provide a guarantee of citizenship as an incentive to a potential source to assist the United States. Under Section 702 of my bill, CIA could offer citizenship to a key prospective intelligence source because Section 702 provides the statutory basis for an ironclad CIA guarantee. Under Section 702 the source would know that, if he maintains good character and performs his secret intelligence service, he will become a U.S. citizen. With the limited provision your Office of Legislative Liaison has indicated CIA may propose, he will know only that he has a chance to become a U.S. citizen, after he meets most of the existing U.S. naturalization requirements and if the Congress does not amend the relevant portions of the Immigration and Nationality Act in the meantime, for reasons wholly unrelated to the specific problems of intelligence sources, in a way that complicates his becoming a citizen.

In short, the proposal your Office of Legislative Liaison has mentioned is a half-a-loaf fix for a current specific problem. Section 702 of my bill, on the other hand, not only fixes the current specific problem, but also avoids the need ever to seek relief from the Congress again, since Section 702 would stand intact even if Congress changes the naturalization laws.

I urge you to support the Minority Members of the Permanent Select Committee on Intelligence in our efforts to attach Section 702 of my bill to the intelligence authorization bill. That is the best way to ensure that, once the many steps of the legislative process are complete, the CIA will have, in this fiscal year, an effective solution to its longstanding problem of citizenship for our best intelligence sources.

Sincerely,



BOB STUMP
Ranking Minority Member